

REMARKS

Administrative Overview

Prior to entry of the present Amendment, claims 42-61 were pending in this application. The Office action, dated March 26, 2004, rejects claims 42-44, 46-48, and 50-61 under 35 U.S.C. § 102(e) over U.S. Patent No. 5,987,343 to Kinast (Kinast), and objects to claims 45 and 49 as being dependent upon a rejected base claim.

The Office action states that dependent claims 45 and 49 are each directed to allowable subject matter. Accordingly, Applicants amend independent claim 42 to include the limitations of former claim 45, and Applicants present new independent claim 62, which includes limitations of former claim 49. Applicants also present new dependent claims 63-80.

As shown in the preceding Listing of Claims, claims 42-44 and 46-61 incorporate the limitation, "...wherein the element comprises a bar code for storing the encoded information," and claims 62-80 incorporate the limitation, "...wherein the element comprises an RFID chip for storing the encoded information."

Applicants amend claim 43 and cancel without prejudice claim 45. Support for the amendments, including the new claims, may be found in the specification and the drawings, at least on page 16, lines 12-13, page 18, lines 24-29, and in Figure 6A.

Applicants submit that no new matter has been added by any of these amendments. Following entry of the present Amendment, claims 42-44 and 46-80 are pending in this application.

Independent Claim 42 is Patentable Over the Cited Art

Claim 42 stands rejected under 35 U.S.C. § 102(e) as being anticipated by Kinast. The Office action states that dependent claim 45 is directed to allowable subject matter. Accordingly, Applicants amend independent claim 42 to include all the limitations of claim 45, including the limitation "... wherein the element comprises a bar code for storing the encoded information."

Applicants respectfully request that the rejection of claim 42 based on U.S.C. § 102(e) be reconsidered and withdrawn.

Dependent Claims 43, 44 and 46-61 Are Each Patentable Over the Cited Art

Because claims 43, 44, and 46-61 depend (directly or indirectly) from claim 42, they include all the limitations of claim 42 and are patentable over the cited art. Applicants respectfully request reconsideration and withdrawal of the rejection of these claims.

New Claims 62-80

The Office action states that claim 49 is directed to allowable subject matter. Accordingly, Applicants present new independent claim 62 which includes the limitation of former claim 49, "...wherein the element comprises an RFID chip for storing the encoded information." Applicants respectfully submit that claim 62 is patentable over the cited art.

Because newly presented claims 63-80 depend from claim 62, Applicants respectfully submit that they too are patentable over the cited art.

Conclusion

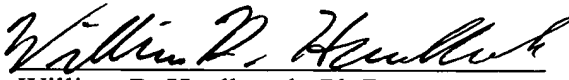
Applicants request that the Examiner reconsider the Application and claims in the light of the foregoing Amendment and Response. Applicants respectfully submit that in view of the amendments and remarks herein, claims 42-44 and 46-80 are in condition for allowance. Applicants, therefore, respectfully request issuance of a Notice of Allowance in due course.

If the Examiner believes that it would be helpful to discuss any aspect of the application by telephone, the undersigned representative cordially invites the Examiner to call at the telephone number given below.

Respectfully submitted,

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